

**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS**

GUESTHOUSE INTERNATIONAL
FRANCHISE SYSTEMS, INC.

v.

BRITISH AMERICAN PROPERTIES
MACARTHUR INN, LLC,
THOMAS F. NOONS AND
EDWIN W. LESLIE

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No. 4:09-MC-00148

JUDGE VANESSA D. GILMORE

**ORDER GRANTING DEFENDANTS' MOTION TO
DISMISS REGISTRATION OF JUDGMENT
AND TO QUASH WRIT OF EXECUTION**

Defendants Thomas F. Noons and British American Properties MacArthur Inn LLC have moved (Dkt No. 3) this Court to Dismiss the registration of the March 23, 2009 Final Judgment issued by the United States District Court of the Middle District of Tennessee (Dkt. No. 1) and to Quash the Writ of Execution issued thereon (Dkt. No. 2) because the registration and the writ are allegedly premature. The court has examined the Motion and the Certification of Judgment of its sister court. This court agrees that registration of the Judgment is premature, Defendant having filed a timely Notice of Appeal of the Judgment, to the United States Court of Appeal for the Sixth Circuit.

It is therefore, ORDERED:

The Registration of Judgment is dismissed the Writ of Execution issued thereon is quashed. This relief is without prejudice to the Plaintiff's right to seek registration after leave being granted by the United States District Court for the Middle District of Tennessee. It is

FURTHER ORDERED:

This court will retain jurisdiction to entertain further motions by Defendant in the event the Plaintiff seeks again to re-register the Judgment and execute thereon.

Signed this ____ day of _____ 2009.

Hon. Vanessa D. Gilmore,
United States District Judge

Approved for Entry:

s/ Bernard Wm. Fischman

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Thomas F. Noons
British American Properties MacArthur Inn, LLC

CERTIFICATE OF SERVICE

I, Bernard Wm. Fischman hereby certify that a copy of this Proposed Order has been sent via CM/ECF on April 29, 2009 to:

Eugene N. Bulso, Jr.
Leader, Bulso & Nolan, PLC
414 Union Street, Suite 1740
Nashville, TN 37219

s/ Bernard Wm. Fischman

Bernard Wm. Fischman